Docket No.: 1152-0313PUS1

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Shigeo MARUYAMA et al.

Application No.: 10/540,826

Confirmation No.: Not Known

Examiner: Not Yet Assigned

Filed: June 24, 2005

Art Unit: N/A

For: PRODUCTION PROCESS FOR SINGLE-

WALLED CARBON NANOTUBE AND

PRODUCTION EQUIPMENT FOR THE SAME

# INFORMATION DISCLOSURE STATEMENT (SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

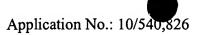
### I. <u>LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION</u>

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-SB08(s), attached hereto.

#### II. <u>COPIES</u>

a. Copies of cited U.S. patents and patent application publications are not included.

Copies of foreign patent documents and non-patent literature are included.



Docket No.: 1152-0313PUS1

b. Some or all of the documents listed on the PTO-SB08 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

c. <u>REFERENCES PREVIOUSLY CITED OR SUBMITTED</u> - Pursuant to 37 C.F.R. §1.98(d), consideration of information listed on the PTO-SB08 form(s) is requested since any patents, publications, or other information which are listed on the PTO-SB08 form(s) but for which copies are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

# U.S. Appl. No(s) and U.S. Filing Date

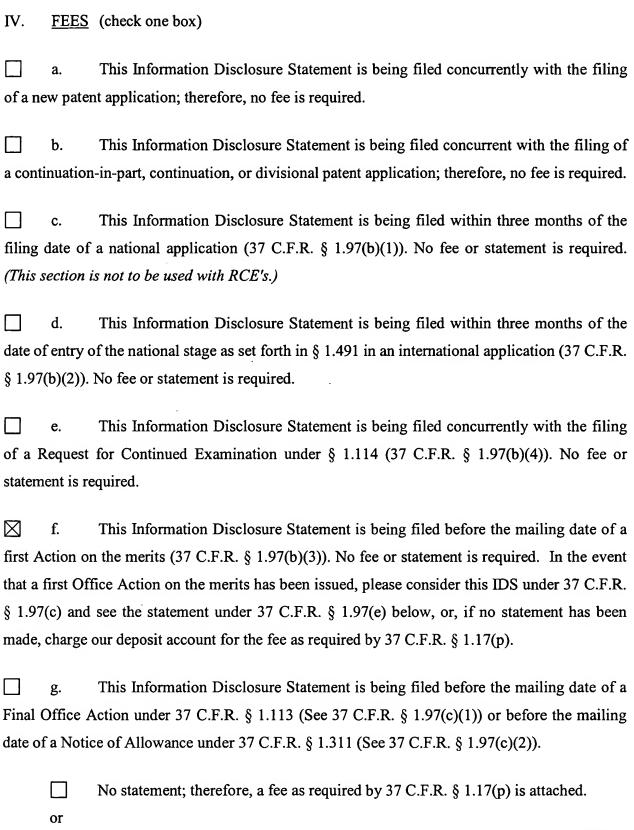
## III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. <u>DOCUMENTS IN THE ENGLISH LANGUAGE</u> The patents, publications, or other information listed on the attached PTO SB08 are in the English language and therefore, do not require a statement of relevancy.
- b. <u>DOCUMENTS NOT IN THE ENGLISH LANGUAGE</u> A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows: English language abstracts are provided for JP 07-197325, JP 2001-520615, JP 2737736, and JP 11-011917.
- c. <u>ENGLISH LANGUAGE SEARCH REPORT</u> An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).
- d. <u>OTHER</u> The following additional information is provided for the Examiner's consideration. PCT International Preliminary Report on Patentability.

Application No.: 10/540,826

Docket No.: 1152-0313PUS1



3 CG/psy

Application No.: 10/540,826

Docket No.: 1152-0313PUS1

	• •
	See the statement below. No fee is required.
V.	STATEMENT UNDER 37 C.F.R. § 1.97(e)
	(check <u>only</u> one box)
	The undersigned hereby states that:
	a. Each item of information contained in the IDS was first cited in any
	unication from a foreign Patent Office in a counterpart foreign application not more
tnan 3	0 days prior to the filing of this IDS; or
	b. Each item of information contained in the IDS was first cited in any
commı	unication from a foreign Patent Office in a counterpart foreign application not more than
three n	nonths prior to the filing of this IDS; or
,	
	c. No item of information contained in the IDS was cited in a communication from a
foreign	Patent Office in a counterpart foreign application, and, to the knowledge of the person
signing	g the certification after making reasonable inquiry, no item of IDS was known to any
individ	lual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the
IDS.	
	d. Some of the items of information were cited in a communication from a foreign
	Office. As to this information, the undersigned states that each item of information
	ned in the IDS was first cited in a communication from a foreign Patent Office in a
	rpart foreign application not more than three months prior to the filing of this IDS. As to
	maining information, the undersigned hereby states that no item of this remaining
	ation contained in the IDS was cited in a communication from a foreign Patent Office in a
	rpart foreign application and, to the best of my knowledge after making reasonable
	was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months
orior to	the filing of this statement.

CG/psy

Application No.: 10/540,826

Docket No.: 1152-0313PUS1

VI.	PAYMENT OF FEES (check one	box)
-----	----------------------------	------

☐ The required fee is listed on the attached Fee Transmittal.☑ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: October 14, 2005

Respectfully submitted,

Charles Gorenstein

Registration No.: 29,271

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East P.O. Box 747

Falls Church, Virginia 22040-0747

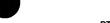
(703) 205-8000

Attorney for Applicant

Attachment(s):

$\boxtimes$	PTO-SB08
$\boxtimes$	Documents
	Foreign Search Report
	Fee
$\Box$	Other:

5 CG/psy



PTO/SB/08a/b (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

OLD 14 2005 W

Substitute for form 1449A/B/PTO			<u> </u>	Complete if Known		
				Application Number	10/540,826	
INFORMATION DISCLOSURE				Filing Date	June 24, 2005	
STATEMENT BY APPLICANT (Use as many sheets as necessary)			APPLICANT	First Named Inventor	Shigeo MARUYAMA	
				Art Unit	N/A	
			s necessary)	Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	1152-0313PUS1	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2</sup> ( if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁵	
	ВА	JP-07-197325	08-01-1995			7	
	вв	JP-2001-520615	10-30-2001			1	
	ВС	JP-2737736	07-22-1997			1	
	BD	JP-11-011917	01-19-1999			7	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Nich of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner		Date	
Signature		Considered	
	<del>-</del>		00/

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.